

JUL 25 2005

JOHN F. CORCORAN CLERK  
BY: *[Signature]*  
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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
DANVILLE DIVISION

UNITED STATES OF AMERICA :  
:  
v. :  
:  
FRANKIE LEO CARTER :  
:

**FINAL ORDER OF FORFEITURE**

**WHEREAS**, the Defendant pled guilty to violations of 21 U.S.C. §§ 841(a)(1) 846, and on March 10, 2005 this Court entered an Order of Forfeiture pursuant to 21 U.S.C. § 853, and 21U.S.C. § 881(a)(11) as authorized by 28 U.S.C. § 2461(c) as to certain property;

**AND WHEREAS**, on March 10, 2005, the United States published in a newspaper of general circulation, the *Martinsville Bulletin*, notice of this forfeiture and of the intent of the United States to dispose of the property in accordance with the law and further notifying all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the assets;

**AND WHEREAS**, it appears from the record that no claims, contested or otherwise, have been filed for the forfeited property, and the time for filing claims has expired;

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED THAT:**

1. The Order of Forfeiture entered herein on March 10, 2005 is affirmed and all right, title and interest to the property is forfeited to the United States of America, and shall be disposed of according to law. No right, title, or interest shall exist in Franklin Leo Carter, nor any other person or entity. The forfeited property is more particularly described as follows:

a) Smith & Wesson, Model 64-3, .38 caliber, six shot revolver, serial # 7D83552.

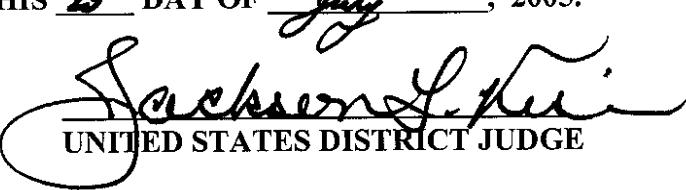
b) RG, Model RG-14, .22 caliber, six shot revolver, serial # 233126.  
c) New England Firearms, .32 caliber, five shot revolver, serial # obliterated.  
d) High Standard, Double nine convertible, .22 caliber, nine shot revolver, serial # M022212

2. The United States is ORDERED to dispose of the property according to law subject only to all expenses attributable to the seizure, maintenance, forfeiture and disposal of the defendant assets.

3. Any and all forfeited funds, including but not limited to currency, currency equivalents and certificates of deposit, as well as any income derived as a result of the United States management of any property forfeited herein, and the proceeds from the sale of any forfeited property, after the payment of costs and expenses incurred in connection with the forfeiture, sale and disposition of the forfeited property, shall be deposited forthwith by the United States into the Department of Justice Assets Forfeiture Fund in accordance with 28 U.S.C. § 524(c) and 21 U.S.C. § 881(e).

4. The Clerk is hereby directed to certify copies to U.S. Probation Office; P.O. Box 1578, Roanoke, VA 24007-1578, and all counsel of record.

ENTERED THIS 25<sup>th</sup> DAY OF July, 2005.

  
UNITED STATES DISTRICT JUDGE